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CONTENTS

	Page
Provisional agenda (S/Agenda/2569)	1
Expression of thanks to the retiring President	1
Statement by the President	1
Adoption of the agenda	1
The situation between Iran and Iraq: Letter dated 24 February 1985 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/16980)	1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council.* The date of the document indicates the supplement in which it appears or in which information about it is given.

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2569th MEETING

Held in New York on Monday, 4 March 1985, at 3 p.m.

President: Mr. Blaise RABETAFIKA (Madagascar).

Present: The representatives of the following States: Australia, Burkina Faso, China, Denmark, Egypt, France, India, Madagascar, Peru, Thailand, Trinidad and Tobago, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

Provisional agenda (S/Agenda/2569)

1. Adoption of the agenda

2. The situation between Iran and Iraq:
   Letter dated 28 February 1985 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/16980)

The meeting was called to order at 3.50 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT: (*interpretation from French*): Since this is the first meeting of the Council in March, I wish first to pay a tribute to Mr. Natarajan Krishnan, representative of India, for the great diplomatic skill, tact and courtesy with which he guided the work of the Council last month. I am certain that in expressing my deep gratitude to Mr. Krishnan, whom we all must admire for the extreme effectiveness with which he led the work of the Council in February, I am reflecting the views of all the members.

Statement by the President

2. The PRESIDENT: (*interpretation from French*): On a more personal note, I wish to say this: we are newcomers here. We are pilgrims who will be here for a time, invited to share a collective responsibility. Without the concept of collective responsibility, our participation in the Council would not have its full significance. We have been able to take our first steps thanks to everyone's co-operation, understanding and even indulgence. We express our sincere appreciation to all the members of the Council, in particular to the representative of India, a long-standing friend, and to the representative of France—the two past Presidents of the Council—and to our distinguished Secretary-General.

Adoption of the agenda

The agenda was adopted.

The situation between Iran and Iraq:
Letter dated 24 February 1985 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/16980)

3. The PRESIDENT: (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Saudi Arabia, Iraq, Jordan and Yemen in which they ask to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Aziz (Iraq) took a place at the Council table; Mr. Shihabi (Saudi Arabia), Mr. Salah (Jordan) and Mr. Al-Eryany (Yemen) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT: (*interpretation from French*): I wish to inform members of the Council that I have received a letter dated 28 February 1985 from the representative of Qatar [*S/16994*]. It reads as follows:

> "I have the honour, in my capacity as Chairman of the Group of Arab States, to request that the Security Council extend an invitation under rule 39 of its provisional rules of procedure to Mr. Chedli Klibi, Secretary-General of the League of Arab States, in connection with the Council's consideration of the item entitled 'The situation between Iran and Iraq'."

If I hear no objection, I shall take it that the Council decides to extend an invitation to Mr. Klibi under rule 39 of its provisional rules of procedure.

It was so decided.

5. The PRESIDENT: (*interpretation from French*): The Council is meeting today in response to a request addressed to the President of the Council by the representative of Iraq in a letter dated 24 February 1985 [*S/16980*].

6. Members of the Council also have before them the report of a mission dispatched to Iran and Iraq by the Secretary-General which was transmitted to the Council by the Secretary-General on 19 February [*S/16962*]. I also draw members' attention to the following documents: letter dated 19 February from the representative of the

Islamic Republic of Iran to the Secretary-General [*S/16963*]; letter dated 24 February from the representative of Iraq to the Secretary-General [*S/16978*]; letter dated 24 February from the representative of Iraq to the Secretary-General [*S/16982*]; and letter dated 26 February from the representative of the Islamic Republic of Iran to the Secretary-General [*S/16992*].

7. The first speaker is the Deputy Prime Minister and Minister for Foreign Affairs of Iraq, Mr. Tariq Aziz. I welcome him and invite him to make his statement.

8. Mr. AZIZ (Iraq) (*interpretation from Arabic*): Mr. President, I should like first of all to thank you and the members of the Council for responding to the request made by Iraq and holding this meeting to consider the question of the prisoners of war and their treatment both in Iran and in Iraq.

9. Repeatedly, since 1983, we have officially requested the Secretary-General to intervene personally in the question of the prisoners of war. The Secretary-General stated on those occasions that the matter fell within the competence of the International Committee of the Red Cross (ICRC). The ICRC, however, was not able to deal with the Iranian authorities. The Iranian authorities then totally forbade representatives of the ICRC to carry out their duties after the crime committed at the Gorgan Camp. This led Iraq to renew its request to the Secretary-General to dispatch a fact-finding mission. The Iranian régime tried to obstruct the mission by insisting that it should also investigate the conditions of the Iranian prisoners of war. When Iraq agreed to this, the Iranian régime then insisted that the mission should visit Iraq first, believing that Iraq would reject those conditions and that Iran would thereby abort the mission's task and put an end to the whole matter. However, Iraq, motivated by its sincere concern for the conditions of the prisoners of war, agreed to the programme of the visit and paved the way for the mission to start its work.

10. Notwithstanding the detailed observations we have in the report of the mission [*S/16962*], we believe that this report has provided the opportunity for a serious discussion of the question of the prisoners of war. We should like to express our thanks to the Secretary-General and the members of the mission and of the Secretariat for their efforts in the preparation of the report.

11. Ever since the beginning of war, Iran has declared a political objective which it has continually upheld and insisted upon: changing the political and social system in Iraq. Hence, the Tehran régime's treatment of the prisoners of war has been based on this political objective and has manifested itself in the following practices:

— First, there is the deliberate murder of the prisoners of war whom the Iranian authorities believe to be affiliated with the legitimate political institutions in their country;

— Secondly, the prisoners of war who escaped this deliberate slaughter are subjected by the Iranian authorities to various kinds of persecution and torture with the aim of forcing them to renounce their political beliefs and commit treason against their own country;

— Thirdly, since the Iranian régime employs religious and sectarian methods to achieve its political objectives, it has resorted to dividing the prisoners of war according to their religious beliefs and has launched a vicious campaign of intensive psychological indoctrination to turn them into agents to be used by Iran to achieve its expansionist political objectives in Iraq;

— Fourthly, because of these objectives of the Iranian régime, the Iranian authorities entrusted the supervision of the affairs of the prisoners of war to political groups which operate as agents of the régime. These groups have employed persecution, torture and psychological and political indoctrination of the prisoners of war for political aims.

12. As a matter of fact, such a policy on the part of the Iranian régime, as emphasized by Mr. Alexander Hay in his statement on 23 November 1984, "forces, in fact, prisoners of war to choose between treason or death" [*see S/16842, annex*].

13. As regards the attitude of Iraq towards the prisoners of war, Iraq has no political objective that motivates it to mistreat those prisoners. Since the beginning of the armed conflict, Iraq has demanded respect for sovereignty and dignity and non-interference in internal affairs. The political institutions leading Iraq maintain no branches or agents inside Iran that would further any special political objectives in Iraq's treatment of prisoners of war. Iraq's attitude towards the prisoners of war has from the outset been completely and intrinsically different from Iran's attitude.

14. If there were mistakes in some cases in dealing with some of the prisoners of war, they took place during the early stages of the armed conflict. The war imposed on us by the Iranian régime was a new experience for us, as was the problem of dealing with the large numbers of prisoners of war who fell captive to our armed forces. Those mistakes resulted from lack of experience and from individual conduct or for bureaucratic reasons; they had no political content or objective. They in no way reflected a planned policy for whose implementation specific programmes were drawn up, as is the case with Iranian practices in prisoner-of-war camps in Iran.

15. As to Iraq's attitude towards the prisoners of war, it has been reflected in its unreservedly welcoming the task of the ICRC and its co-operating with it in order that the conditions of the prisoners of war may be in keeping with the provisions of the third Geneva Convention.[1] The Iraqi authorities have provided the means for the ICRC representatives to visit the prisoners of war regularly and to supervise the exchange of letters with their relatives, and also provided for the necessary respect for their persons and religious beliefs. Over and above that, the Iraqi authorities, in co-operation with humanitarian international organizations, established a school for the Iranian children who were driven by the Iranian régime into the furnace of war in violation of all human values. We may consider that school a unique model in the history of humanitarian international law. Iraq has also handed over

a large number of prisoners of war, without reciprocity. The last of these Iraqi initiatives was the amnesty granted to the prisoners of war taken in the battles that took place last January and February. They were given the freedom to choose the following: staying in Iraq, returning to their homeland or going to any country of their choice. These prisoners of war were handed over to the ICRC in three batches.

16. Iraq has enabled the ICRC to function without interruption since the beginning of the war, regularly and in all the camps. Hence, the ICRC was in a position to know at first-hand the conditions of the prisoners of war, whereas in Iran it was prevented from visiting all the camps of the prisoners of war even during the intermittent periods it was allowed to carry out some of its duties by the Iranian authorities.

17. In this connection, it should be noted that the United Nations mission, which visited all the prisoner-of-war camps in Iraq, was not able to visit all the camps in Iran. Had the mission visited all the camps, it would have discovered many facts that had been previously emphasized by the ICRC as well as other facts it had not revealed in order to protect the confidentiality of certain aspects of its operations.

18. Mention should be made also of the diplomatic considerations within United Nations circles which generally influence the drafting of reports dealing with questions in which Iran is condemned by considerable evidence. We find more than an ordinary diplomatic keenness in an attempt to balance the report by laying emphasis on elements relating to Iraq. The motivation behind such a method may be the hope that it would encourage Iran to participate in the discussions of the Council and to co-operate with it. However, we can now see for ourselves yet again the futility of those attempts and diplomatic courtesies, given the intransigence and arrogance of the Iranian régime and, indeed, its contempt for the Council. In its defiance of the Council and its resolutions, the Iranian régime has surpassed even the notorious record of the Zionist entity in this regard. The time has come to wonder how long the Council will tolerate such defiance and permit this outlaw régime to persist in its disobedience of the will of the international community.

19. The Council is now called upon to remedy the situation of the prisoners of war. The mission of the Secretary-General has presented a number of recommendations in this regard. Iraq is ready to implement these recommendations in full sincerity. The report of the mission, however, does not propose the mechanism for the implementation of its recommendations. Our main objective in calling for this meeting of the Council was to find a practical and effective mechanism to implement these recommendations sincerely and meticulously.

20. Iraq believes that the normal procedure is for the Council to force Iran to allow the ICRC to resume its work in Iran and for the Iranian authorities to co-operate seriously with the ICRC. As regards Iraq, the ICRC is continuing the exercise of its functions there. We are fully prepared to co-operate with the ICRC in order to implement fully and sincerely the recommendations of the United Nations mission. We believe that the Council should adopt a clear resolution to ensure implementation of those recommendations.

21. In his introduction to the mission's report, the Secretary-General has stated that the ordeal of the prisoners of war can be ended effectively only by the termination of the war. But, as we are all aware, the Iranian régime insists on continuing its aggressive war against Iraq. We therefore consider that the best way to put an end to the suffering of the prisoners of war is the exchange of all prisoners, so that not one prisoner would remain in captivity on either side. That exchange should be completed within a specific timetable, beginning with the prisoners of war suffering the most—that is, the disabled and the sick—to be followed by the exchange of prisoners who have remained in captivity the longest, until the last prisoner of war has been exchanged. That, in our view, is the ideal solution. Iraq is prepared to co-operate with the Council, with the Secretary-General and with the ICRC in order to implement this solution.

22. The PRESIDENT: (*interpretation from French*): The next speaker is Mr. Chedli Klibi, Secretary-General of the League of Arab States, to whom the Council has extended an invitation in accordance with rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

23. Mr. KLIBI (*interpretation from Arabic*): I should like at the outset to express to you, Sir, and through you to the other members of the Security Council, our appreciation for the kind invitation extended to me to address the Council on a subject of paramount importance. May I also pay a special tribute to your well-known qualities of wisdom and able leadership, and congratulate you on your assumption of the presidency of the Council for this month, particularly since Arab States are linked to your friendly country, Madagascar, by strong ties of friendship and a mutual struggle for and commitment to the causes of justice and freedom in Africa and throughout the world.

24. The Council has been called upon to examine a vital humanitarian issue and, at the same time, one of the gravest aspects of the Iran-Iraq conflict—a conflict which has now entered its fifth year and constitutes a horrible tragedy from every humanitarian, political and economic standpoint.

25. Need I recall that the principal objective of the Charter of the United Nations has always been "to save succeeding generations from the scourge of war"? Yet, four decades after the Second World War, the world remains embroiled in local and regional conflicts which are no less cruel to mankind or less ominous for its future.

26. In spite of the efforts undertaken in the aftermath of two world wars to organize the international community so as to ensure human progress in an environment of freedom, peace and justice, mankind has made only modest headway in confronting the perils born of the innumerable

ongoing or potential conflicts besetting various areas around the world.

27. The Iraq-Iran conflict—one aspect of which this meeting was specially convened to consider—is but an illustration of the ordeals still inflicted upon many peoples since the Second World War.

28. I believe it my duty in this respect to draw the Council's attention to some of the facts stated in the report of the President of the ICRC on the subject of the maltreatment of Iraqi prisoners of war by Iranian military authorities. While Iraq has proclaimed its adherence to United Nations principles in any quest for a peaceful settlement of its conflict with Iran, and while it has reaffirmed its commitment to relevant international law and conventions relating to conflicts, it has taken the initiative in releasing successive groups of Iranian prisoners. However, at the same time, the Iranian military authorities have not hesitated, as the report indicates, to open fire on Iraqi soldiers held as prisoners of war, killing and wounding a large number of them.

29. Today we address the Council with a view to ensuring strict implementation of the recommendations put forward by the mission of inquiry set up by the Secretary-General. Furthermore, while we endorse Iraq's comments and reservations in respect of the mission's report, we consider that from a practical point of view priority must be given to solving the humanitarian problem, that is to say, guaranteeing the rights and dignity of the prisoners of war as a first step towards their prompt release and return to their respective homes. The attainment of that primary objective will no doubt contribute to securing a more favourable climate for a definitive settlement of the conflict.

30. That is why this meeting of the Council is of great significance. Its aim is to speed measures likely to improve the prisoners' condition, in accordance with international law and conventions, in particular the third Geneva Convention. That Convention entrusts the safety of prisoners of war to the detaining State and grants them full protection under international law. Each State undertakes to respect fully the provisions of the Convention to which it is a party.

31. At this point we cannot but recall that the preamble of the Universal Declaration of Human Rights states that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world" and that "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind."

32. Furthermore, article 10 of the Tehran Proclamation,[2] issued by the International Conference on Human Rights on 13 May 1968, states in particular:

> "Massive denials of human rights, arising out of aggression or any armed conflict with their tragic consequences, and resulting in untold human misery, engender reactions which could engulf the world in ever growing hostilities. It is the obligation of the international community to co-operate in eradicating such scourges."

33. In addition to these international instruments, which are morally and legally binding on all States, the two parties to the conflict are bound by a number of other rules and principles set forth in the clearest and most unambiguous terms by Islam. In point of fact, Islam has laid down supreme humanitarian rules and criteria governing the issue of the treatment of prisoners of war, as is indicated most clearly in the Holy Books. Moreover, the pledge made by Caliph Omar Ibn Al-Khattab to the population of Jerusalem to protect human life, peaceful coexistence and free choice of worship is a living rule which we still need to follow in our modern times, for it represents one of the noblest expressions of human thought. The history of Islam is replete with similar recommendations and teachings which illustrate one of the most remarkable dimensions of Arab Islamic civilization.

34. Apart from these relevant legal and humanitarian considerations, we cannot ignore the political consequences that this conflict entails. We therefore need to harness all international efforts in order to end the conflict and restore peace between the two neighbouring countries so that they can devote their tremendous potential to development and resume their relations on the basis of good-neighbourliness and brotherhood.

35. For our part, I had the opportunity on 25 May 1984 [*2541st meeting*] to reaffirm before the Council that the League of Arab States, impelled by its national and international responsibility and in view of its heritage, its charter and its firm commitment to the preservation of peace and the protection of human rights, has always been prompt to grant full support, at all levels, including the summit level, to all efforts aimed at helping secure an urgent, just and peaceful settlement of the Iraq-Iran conflict. Similarly Iraq, for its part, has responded positively to the various initiatives undertaken with a view to ending the conflict on the basis of respect for the legitimate rights of both parties and according to the requirements of harmony and co-operation dictated by good-neighbourliness, a shared civilization, historical and religious heritage, as well as by obvious common interests. Even though these efforts have thus far led to no concrete results, the international community as represented in the Security Council should not be discouraged in the discharge of its responsibilities relating to the maintenance of international peace and security, with a view to achieving a peaceful settlement guaranteeing the rights of both parties to the conflict.

36. I believe there is no need to underscore in this forum the fact that the Arab side has done much to promote a just and lasting peace in the region. To our peoples, peace is a vital need if they are to grow and achieve progress and prosperity. Peace is also an inherent part of our values and our heritage. As it pursues that goal, the Arab side wishes to reaffirm once again its unswerving determination to stand firmly by the Charter of the United Nations, which calls for tolerance and coexistence in peace and good-neighbourliness.

37. On the basis of the Charter, which our States have chosen to adopt as the foundation of their international relations, the Arab side proclaims its full acceptance of its rules as the basis for arbitration in any international conflict involving one or more of its States, from Palestine to Lebanon to Iraq. However, in this respect two indisputable truths must be recalled. First, justice is the main element for ensuring lasting peace. Force, even if it may provide an imposed solution for a time, cannot lay claim to anything that can be called peace, much less durable peace. In the final analysis, peace cannot be secured if injustice persists. Secondly, the quest for peace is not a matter of conditions but a matter of rights: the rights of peoples over their wealth, their security, their prosperity and their choice of a political and social order, and the rights of States to sovereignty and territorial integrity.

38. The PRESIDENT: (*interpretation from French*): The next speaker is the Deputy Prime Minister and Minister for Foreign Affairs of the Yemen Arab Republic, Mr. Abdulkarim Al-Eryany, whom I welcome. I invite him to take a place at the Council table and to make his statement.

39. Mr. AL-ERYANY (Yemen) (*interpretation from Arabic*): Permit me first, Mr. President, to say how pleased I am to be able to participate in this meeting. Today's meeting is proof that you and the other members of the Council cherish the cause of preserving the interests and purposes for which the Organization was founded. I am convinced that the Council will be fully able to adopt the resolutions necessary to bring about a final settlement of the issue dealt with in the report of the mission dispatched by the Secretary-General to inquire into the situation of prisoners of war in Iran and Iraq.

40. I am grateful to have been permitted to address the Council. As the representative of my country, the Yemen Arab Republic, I assure the Council that we are anxious to put an end to this human tragedy and to see the implementation of the resolution of the League of Arab States [*S/16415, annex*] calling for the establishment of a seven-member committee to find a just and honourable solution to this conflict between two neighbouring Moslem countries, a conflict which has lasted nearly five years now and which has cost dearly in terms of human life and material damage.

41. The Government authorities in my country have been following developments in the regrettable conflict between Iran and Iraq with tremendous concern and sorrow. We in the Yemen Arab Republic have spared no effort, since the very first moment of this conflict, to participate in efforts to put an end to it, whether in the Organization of the Islamic Conference, in the Movement of Non-Aligned Countries, or in the United Nations. In all these efforts we have been motivated by our awareness of the broad dimensions of this bloody conflict and the fact that its continuation is causing untold suffering to both peoples and to the Middle East region and is fraught with unforeseeable consequences.

42. We were optimistic when Iraq agreed to abide by the international and regional undertakings to put an end to its conflict with the Islamic Republic of Iran, but we were equally disappointed by Iran's persistent rejection of all international and Islamic mediation designed to put an end to the conflict.

43. We still hope, however, that Iran will co-operate with the Islamic good-offices committee created by the Organization of the Islamic Conference to put an end to the war and to find a just and peaceful settlement to it in accordance with the resolutions adopted at the Fifteenth Islamic Conference of Foreign Ministers,[3] held at Sanaa from 18 to 22 December 1984, resolutions that were supported by Iran, which committed itself to their implementation.

44. We hope that the Member States will do all in their power to bring this war to an end. The members of the Security Council must shoulder the responsibilities incumbent upon them under the Charter and adopt the measures necessary to force Iran to put an end to its military operations and to have recourse to peaceful means to resolve its conflict with its neighbour, Iraq, in a just and honourable way.

45. We in the Yemen Arab Republic do not think that the Council's efforts and those of the Secretary-General should replace those of the Islamic Conference and the Movement of Non-Aligned Countries to bring about an end to the armed conflict. Indeed, those efforts are, in our view, all directed towards the same human, noble and common objective. We continue to hope that such efforts will bear fruit in the interests of the peoples of both Iran and Iraq and in the interest of peace and security in the region as a whole.

46. We should like to express our great gratitude for the positive attitude adopted by Iraq to all mediation efforts, both regional and international, designed to put an end to this disastrous conflict. We hope that the two parties to the conflict will fully respect both the spirit and the letter of the third[1] and fourth[4] Geneva Conventions and their additional protocols.[5] We hope that they will also respect the norms and principles of international law applicable to armed conflicts. In this regard, I was happy to hear the representative of Iraq state his full support for the aforementioned Conventions, protocols and resolutions.

47. I should also like to endorse all the recommendations of the fact-finding mission regarding the treatment of prisoners of war, and particularly the conclusions set forth in paragraph 294 of its report.

48. We hope that both parties to the conflict will respect the recommendations of the mission, that they will implement any resolutions adopted by the Security Council and that they will co-operate fully with any machinery set up to implement these resolutions.

49. In conclusion, I should like to thank the Secretary-General for his praiseworthy efforts in this area. I wish also to express our gratitude and appreciation for the humanitarian efforts undertaken by the mission entrusted by the Secretary-General to inquire into the situation of prisoners of war in Iran and Iraq, particularly for the objectivity, impartiality and realism evidenced in its report.

50. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Saudi Arabia. I invite him to take a place at the Council table and to make his statement.

51. Mr. SHIHABI (Saudi Arabia) (*interpretation from Arabic*): I should like at the outset to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I am convinced that under your able guidance, and given your well-known experience and wisdom, the Council will pursue its work successfully. I should also like to express my appreciation to your predecessor, the representative of India, for the skill and wisdom with which he presided over the work of the Council last month.

52. I would like to thank the Secretary-General and the fact-finding mission for its report and for the efforts of its members. Every positive step in solving one of the many aspects of the Iran-Iraq war is, indeed, a move towards bringing an end to that painful conflict, which has lost its meaning and is being emptied of all content every day it continues. Insistence on persisting with that conflict has become a reflection of the inability to see the truth and to evaluate interests in all their dimensions.

53. The report of the Secretary-General's mission on the prisoners of war in Iran and Iraq conveys a sad picture of the continuing tragedy of that war, which has been raging for the last five years. While we review the ideas presented in that report, and without going into the details therein, the extent to which the situation has deteriorated becomes evident, and that deterioration extends even to the channels that have been respected by generations of combatants who in past centuries respected such channels and gave them their proper humanitarian and legal consideration.

54. My Government views the continuation of this tragic situation with serious concern, primarily for the two neighbouring countries and for the region, and to the extent that it has a bearing on world peace. While the report of the Secretary-General's mission, the subject of our consideration today, sheds some light on a painful aspect of that tragedy, we hope at the same time that it will draw attention to other aspects of the dispute so that those who are hesitant or who refrain from doing anything will recognize the dangers of the difficult path that this bloody struggle is leading to.

55. If the prisoners of war as individuals are victims, the country itself is also a victim as an establishment and as an economic system, as a social structure and as a human community. If trying to secure the minimum of humanitarian considerations for those victims has required this extensive international effort—which is still continuing, with the complexities of which we are aware—we should ask what the situation would be like with respect to the problem as a whole, that is, putting an end to the fierce war and achieving peace.

56. I should like to put on record our appreciation for Iraq's positive response in accepting the recommendations of the mission and in its willingness to implement them; this is in addition to the positive stand taken by Iraq in its readiness to put an end to the tragic war as a whole and to the desire it has declared on every occasion to establish and secure peace. We are still waiting for a positive response from Iran on the subject of the prisoners of war and its abiding by those international conventions governing the conditions of the prisoners it holds, and for a positive response to the efforts to end the fierce war and all its tragedies. We hope we shall not have to wait too long. Responding to the humanitarian appeal to end the present conditions of the prisoners of war—the subject of our discussion today—abiding by the relevant international conventions and, on a wider scale, heeding the call to put an end to the war, as Iraq has done, is a compelling Islamic duty called for by our beliefs.

57. We know the extent of the readiness of the Secretary-General, the United Nations and the Security Council, on the one hand, and of other international organizations, primarily the League of Arab States and the Organization of the Islamic Conference, on the other hand, to activate all means to reach a solution to end the war and to preserve for the two Muslim States and the two brotherly nations the existence and the security of their peoples, and regional and world peace.

58. I should like to thank you, Sir, and the other members of the Council for the concern the Council is showing over this serious subject. I should like to call on the Council to take a clear stand, in conformity with the recommendations of the mission, in order to secure the implementation of these recommendations and to preserve the credibility and effectiveness of and respect for international norms and their recognized executive organs, in keen awareness of the interest of every nation on this globe, and to ensure that the success of this step by the United Nations will open the way to further steps that will bring us nearer to reaching an end to this tragic war.

59. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Jordan. I invite him to take a place at the Council table and to make his statement.

60. Mr. SALAH (Jordan) (*interpretation from Arabic*): Mr. President, at the outset permit me to thank the members of the Council for allowing me to participate in the discussions of the Council on the item on the agenda. It is my pleasure to congratulate you warmly on your assumption to the presidency of the Council for this month. I am convinced that thanks to your experience, skill and wisdom, the Council will be able to consider the questions placed before it on the agenda under your presidency. I should also like to take this opportunity to commend your predecessor, Mr. Natarajan Krishnan, representative of India, for the ability, skill and well-known wisdom he displayed in presiding over the proceedings of the Council last month.

61. I wish to express appreciation and thanks to the Secretary-General for dispatching a United Nations mission to inquire into the conditions of prisoners of war in Iran and Iraq. I should also like to thank the members of

the mission for their efforts in the preparation of the report.

62. The Council is meeting today to consider one of the dimensions of the continuing war between Iran and Iraq—the question of prisoners of war in both countries. Although this is an extremely important humanitarian issue, represented by the plight of tens of thousands of men who are spending the best years of their lives in captivity, it is, however, at the same time a clear and painful reflection of the danger of the continuing war which Iran is insisting on imposing on brotherly Iraq by refusing all peaceful attempts aimed at putting an end to the conflict.

63. We should like to draw the attention of the members of the Council to the fact that the report of the mission of inquiry on the conditions of prisoners of war leads us to share the Secretary-General's conclusion, which he stressed in the introductory note to the report by stating:

> "that their plight, and other suffering affecting both combatants and civilians, can be ended effectively only by the termination of the ruinous conflict that continues to inflict a heavy toll on the human assets, and also the material resources, of these two countries" [*S/16962, para. 16*].

64. In this context, I should like to refer to what the mission itself states in the preamble to the conclusions of its report concerning the sufferings of those prisoners, who feel alarmed and lost, and the emotions they feel. The mission states:

> "We cannot but stress, however, that the overriding yearning of the prisoners of war themselves was that this prolonged and tragic war should be brought to the earliest possible end." [*Ibid., annex, para. 293.*]

65. The focus of attention in the Council today is the humanitarian dimensions of the problem of the prisoners of war in all its aspects. The Security Council, which represents the will of the international community, is called upon to put an end to the suffering of the prisoners and to take those measures that would end the suffering brought about by their long captivity and the great distances separating them from their homes, families and children.

66. Iraq has repeatedly drawn the international community's attention to the question of prisoners of war. On every occasion Iraq has called for attention to be given to the prisoners of war, and it has called for an investigation into the conditions in which they are held.

67. Today the Council is meeting in response to a request by Iraq that it consider the report of the mission dispatched by the Secretary-General—and we express our thanks to him for this—to investigate the Iranian authorities' indiscriminate firing on Iraqi prisoners of war in the Gorgan Camp, which led to the wounding and killing of many of those prisoners of war.

68. My delegation does not wish to enter into the many details contained in the mission's report. It merely wishes to refer to some points and observations we believe to be worthy of immediate attention.

69. First, the freedom of thought, religion and conscience of prisoners of war must be respected, and they must not be placed under any ideological pressures or subjected to political indoctrination. It hardly need be stressed that freedom of faith and belief is the basis of modern covenants, particularly the Universal Declaration of Human Rights and the third Geneva Convention, which states that prisoners of war should not be subjected to any ideological or political pressures and calls for no discrimination among them on the basis of their religious beliefs. Here we should like to draw attention to paragraph 276 of the report of the mission, which describes the deep suffering of the prisoners of war because they sense that their ideological and national identity, which they feel deeply and of which they are proud, is not being respected but is, indeed, under assault.

70. Secondly, there is the need for strict respect for the Geneva Conventions, particularly the third Convention, and for the role of the ICRC. That Committee must be enabled to undertake its responsibilities through co-operation and its representatives being given full freedom of movement and transportation. The Committee's role must not be distorted, and its representatives must not be defamed. If the ICRC cannot play its role, the prisoners of war will remain without care and without the protection provided for in international conventions and covenants. In this context we should like to state that Iraq has always co-operated with the ICRC; it has always facilitated its work. The representatives of the Red Cross have worked unceasingly in Iraq and in all prisoner-of-war camps there, whereas for some time Iran has prevented the Committee from undertaking its activities, which originally did not include visiting all prisoner-of-war camps in Iran. As is stated in paragraph 259 of the report, "a large number of POWs have not been seen or had any contact with ICRC."

71. Thirdly, the detention of prisoners of war for long and indeterminate periods must be of concern to the international community, and the Council in particular, because that detention is the greatest source of suffering and anxiety among the prisoners of war and leads us to conclude that one of the best ways effectively to end that suffering—in the absence of the ideal solution, which is an immediate end to the war—is a complete and comprehensive exchange of all prisoners of war between the two parties to the conflict. The mission has emphasized this conclusion, particularly in paragraphs 285 to 289 of its report, in which it stresses that the best and the most humanitarian way of solving the problem of the prisoners of war is to release them as soon as possible.

72. The report of the mission contains important recommendations that would, we believe, if implemented, form the proper basis for dealing with the tragedy of the prisoners of war. We have in mind particularly the need to release them and return them to their homes through the exchange of prisoners between the two parties. We stress that it is essential that that exchange be complete and

comprehensive; it must be a complete and comprehensive exchange of prisoners of war; there must be no exceptions.

73. We call on the Council to adopt these recommendations. We call on it to persuade the two parties to commit themselves to their implementation. We call on it to create a practical mechanism for implementation of the recommendations, including a definite timetable for the exchange of all prisoners. And we call upon both parties to co-operate fully with ICRC in the achievement of that end, and to work towards the adoption of a resolution to that effect.

74. In this context, Iraq has shown its preparedness to commit itself to these recommendations and to implement them fully and sincerely, including the exchange of all prisoners of war, as is proposed in the statement of 24 February 1985 [*see S/16978*] and as the Minister for Foreign Affairs of Iraq stressed in his statement here today.

75. The question of the prisoners of war is but one aspect of the continuing destructive war between Iraq and Iran, as I said at the outset. In the absence of effective measures to put an end to the war, which is now entering its fifth year, and which Iraq has always shown its sincere preparedness to end, the Council is called upon to deal with the tragedy of the prisoners of war effectively and promptly so as to ensure their freedom and their return to their homelands.

76. In considering for the first time an issue pertaining to prisoners of war, the Council has a moral and ethical duty *vis-à-vis* this important issue. Through the adoption of the necessary effective resolution, the Council will pay an immense service not only to the prisoners of war but also to the interests of international law and mankind as a whole.

77. Mr. KHALIL (Egypt) (*interpretation from Arabic*): I am happy, Mr. President, to express to you at the outset Egypt's pleasure at seeing you occupying the post of President of the Security Council. The friendly relations between your country and Egypt are well known. They are reflected, also, in our relations of fellowship in the Organization of African Unity and the Movement of Non-Aligned Countries. We are confident that your long experience and your personal qualifications will enable you successfully to guide the Council's work throughout this month.

78. It is my pleasure, also, to express again our appreciation to Mr. Krishnan, the representative of India, for the exemplary way in which he presided over the Council's work last month.

79. The report of the mission dispatched by the Secretary-General to investigate the facts concerning the situation of prisoners of war in Iraq and Iran has opened the door to a serious discussion of this issue. It is a record replete with individual and collective disasters. No just person could turn a deaf ear to the cries of humanity which are reflected in that record. We must all share the deep feelings of the members of the mission in regard to what they witnessed, which led them to state in the report, in commenting on the keeping of prisoners of war when the conflict is inordinately prolonged, that "the Convention seems out of step with modern humanitarian principles" [*S/16962, para. 286*].

80. The report of the mission presents the Council with all the aspects of the problem of the prisoners resulting from the Iraq-Iran war. We listened with great concern to the statement by the Minister for Foreign Affairs of Iraq, who quite rightly had called for the convening of the Council to consider steps to be taken to face up to this painful situation. In his statement, the Minister set forth his country's position with full clarity and fairness. He confirmed Iraq's readiness sincerely to implement the recommendations of the mission of the Secretary-General.

81. Egypt expresses its utmost appreciation for Iraq's concern to co-operate at all times with the Council, and we hope that Iran will follow suit in this regard. Egypt fully supports Iraq's call for the Council to deal with the situation of the prisoners of war—a situation the termination of which Egypt, for a long time now, has been calling for—and to put an end to a conflict that threatens the life and potential of two peoples and undermines the bases of peace at a time when the voice of reason requires that we channel all our potential and all our resources to development and construction and to the achievement of peace and stability for the peoples and States of the area.

82. Iraq's record of uninterrupted co-operation with ICRC is well known. From the very beginning, Iraq welcomed the missions of the Red Cross, and it continues to provide all the means necessary to enable the representatives of that body to carry out their humanitarian tasks. Today, the Minister for Foreign Affairs of Iraq has again confirmed his country's readiness to co-operate with the Red Cross in the implementation of the recommendations of the mission of the Secretary-General. May we hope that Iran will heed the call to make it possible for ICRC to resume its humanitarian mission in Iran so that the Red Cross will be able to accomplish all its tasks, in accordance with the third Geneva Convention.?

83. Egypt's support for the position set forth by the Minister for Foreign Affairs of Iraq is not based on any bias towards one party or the other. Our support is based on the fact that Iraq's request is just and fair to everyone. The best proof of this is to be found in the following excerpt from the end of the statement by the Iraqi Minister:

> "We therefore consider that the best way to put an end to the suffering of the prisoners of war"—without any discrimination between Iraquis and Iranians—"is the exchange of all prisoners, so that not one prisoner would remain in captivity on either side. That exchange should be completed within a specific timetable, beginning with the prisoners of war suffering the most—that is, the disabled and the sick—to be followed by the exchange of prisoners who have remained in captivity the longest, until the last prisoner of war has been exchanged. That, in our view, is the ideal solution." [*See para. 21 above.*]

84. We are requested today to take all the necessary measures to implement the recommendations of the Mission of the Secretary-General without further delay, so that the day may come when, as we all hope, the international community will be able to achieve an honourable solution to the root causes of this malaise and to put an end to this conflict. Iraq has repeatedly confirmed its desire for an end to the conflict. That must be in a way that maintains the rights of both peoples and allows for the resumption of peaceful and good-neighbourly relations between the two countries, in their mutual interest and the interest of the region and the entire world.

The meeting rose at 5.10 p.m.

NOTES

[1] Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, No. 972).

[2] *Final Act of the International Conference on Human Rights* (United Nations publication, Sales No. E.68.XIV.2), chap. II.

[3] A/40/173-S/17033.

[4] Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949 (United Nations, *Treaty Series*, vol. 75, No. 973).

[5] United Nations, *Treaty Series*, vol. 1125, Nos. 17512 and 17513.

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